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9
10 Attorney for Robert D. Miller Jr., United States Trustee

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1 reasonableness of professional fees is evaluated under 11 U.S.C. § 330(a)(3), which
2 instructs courts to consider hourly rates as a component of the overall compensation
3 analysis. The reasonableness of the rate can not be evaluated independently of other
4 factors, such as the time spent, the nature of the services, and the necessity for and
5 benefits of the services.

6 2. The pre-determination envisioned by Local Bankruptcy Rule 2016-1(b)(4)
7 relates to whether or not competent local counsel is available. The Local Rule does not
8 contemplate a pre-determination of appropriate hourly rates or whether or not non-local
9 counsel's proposed hourly rates are consistent with local counsel's hourly rates.¹

10 3. PSZJ's proposed hourly rates are higher than are typical for debtor's counsel
11 in Oregon. Although the UST does not object to the proposed hourly rates in and of
12 themselves, the UST objects to any proposed factual finding that the proposed hourly
13 rates are consistent with those typically charged by local counsel.

14 DATED this 18th day of October, 2010.

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Respectfully submitted,

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ROBERT D. MILLER JR.
United States Trustee

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/s/ P. Rebecca Kamitsuka

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P. REBECCA KAMITSUKA, OSB #93326
Attorney for the United States Trustee

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¹This UST objection does not advocate enforcement of Local Bankruptcy Rule 2016-1(b)(4) or take a position on its legality or consistency with the Bankruptcy Code.

CERTIFICATE OF SERVICE

I, P. Rebecca Kamitsuka, hereby certify as follows:

1. On October 18, 2010, the attached document was served on the persons shown below by depositing a true copy thereof, in a sealed envelope with First-Class postage prepaid and addressed as shown below, in the U.S. Mail, at Eugene, Oregon.

David E. Bomar Balzhiser & Hubbard Engineers, Inc. 100 W 13 th Ave Eugene, OR 97401	Mike Broadsword Eugene Sand & Gravel PO Box 1067 Eugene, OR 97440
Gregory Brokaw Rowell Brokaw Architects, PC 1 East Broadway #300 Eugene, OR 97401	James R. Hanks JRH Transportation Engineering 4765 Village Plaza Lp #201 Eugene, OR 97401
NW Natural Gas Co. 220 NW Second Ave Portland, OR 97209	Michael Roberts 1919 Myers Rd Eugene, OR 97401
Jerry Vicars Fabrication & Mechanical Group, Inc. PO Box 42173 Eugene, OR 97404	Wm Thomas Construction PO Box 2409 Florecne, OR 97439

2. Based on the Bankruptcy Court's Electronic Case Filing records, the following person(s) should be served electronically when the attached document is filed with the Court:

Gilbert B. Wiesman (for American express Bank FSB)
John F. Barg (for Suzanne Arlie; and John Musuemci)
Linda Cantor (for Debtor Arlie & Company)
John D. Fiero (for Debtor Arlie & Company)
Michael P. Kearney (for Debtor Arlie & Company)
Justin D. Leonard (for Debtor Arlie & Company)
Jonathan Polland (for Debtor Arlie & Company)
Brad T. Summers (for Debtor Arlie & Company)
Douglas R. Wilkinson (for Debtor Arlie & Company)
Michael W. Fletcher (for Debtor Arlie & Company; & Tonkon Torp, LLP)
James K. Hein (for Debtor Arlie & Company)
Albert N. Kennedy (for Debtor Arlie & Company; & Tonkon Torp, LLP)
Daniel P. Pepple (for Bank of America)
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Conrad K. Chiu (for Fifth Third Bank)
P. Scott McCleery (for Gartland Nelson, McCleery, Wade & Walloch, PC)
Heather M. Wallock (for Gartland Nelson, McCleery, Wade & Walloch, PC)
Frank F. McGinn (for Iron Mountain Information Management, Inc.)
John D. Albert (for Siuslaw Bank)
Bradley D. Copeland (for Summit Bank)
Andrew P. Parks (for Summit Bank)
John Casey Mills (for Umpqua Bank)
Teresa H. Pearson (for Umpqua Bank)
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